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9 Attorney for Plaintiff

10 RONALD GENE MITTIE,) Case No. 1:21-cv-00393-EPG
11 Plaintiff,) STIPULATION AND ORDER FOR
12 vs.) EXTENSION OF TIME
13 KILOLO KIJAKAZI, Acting) (ECF No. 21)
14 Commissioner of Social Security,
15 Defendant.
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18 IT IS HEREBY STIPULATED, by and between the parties through their respective
19 counsel of record, with the Court's approval, that Plaintiff shall have a 30-day extension of time,
20 from April 12, 2022 to May 12, 2022, for Plaintiff to serve on defendant with Plaintiff's Opening
21 Brief. All other dates in the Court's Scheduling Order shall be extended accordingly.

22 This is Plaintiff's second request for an extension of time. Good cause exists for this
23 extension. First, Counsel for the Plaintiff underwent major orthopedic surgery on March 17,
24 2022, and is dealing with post-operation pain and the secondary effects of medications; and as a
25 result, is working short periods throughout the day with significant breaks throughout. Counsel
26 will also undergo 12 weeks of physical therapy, four days a week.

27 Secondly, as this Court is well aware, Social Security case filings in federal court
28 increased due to a combination of factors including an increase in appeals council decisions and

1 an increase in hearings at the administrative levels. Then, as a result of the pandemic, shelter-in-
2 place mandates, and Court ordered Stays, there were significant delays in producing transcripts.
3 In recent months, Counsel for the Plaintiff has received a greater-than-usual number of Answers
4 and Certified Administrative Records from defendant including over 56 cases in February and
5 March of 2022.

6 For the weeks of April 4, 2022 and April 11, 2022, Counsel for Plaintiff has 14 merit
7 briefs, and several letter briefs and reply briefs. For the month of May 2022, Counsel has over
8 20 merit briefs currently calendared, with that number expected to grow.

9 Lastly, another attorney with the firm, Ms. Dolly Trompeter, is currently out of state due
10 to her father's medical condition and as a result, the undersigned has taken on additional matters
11 compounding the need for an additional extension.

12 Counsel for the Plaintiff does not intend to further delay this matter. Defendant does not
13 oppose the requested extension. Counsel apologizes to the Defendant and Court for any
14 inconvenience this may cause.

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17 Respectfully submitted,

18 Dated: March 30, 2022

PENA & BROMBERG, ATTORNEYS AT LAW

20 By: /s/ Jonathan Omar Pena
21 JONATHAN OMAR PENA
22 Attorneys for Plaintiff

23 Dated: March 30, 2022

24 PHILLIP A. TALBERT
25 United States Attorney
26 PETER K. THOMPSON
27 Acting Regional Chief Counsel, Region IX
28 Social Security Administration

29 By: */s/ Margaret Lehrkind
30 Margaret Lehrkind

Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on March 30, 2022)

ORDER

Based on the above stipulation (ECF No. 21), IT IS ORDERED that Plaintiff shall file Plaintiff's opening brief no later than May 12, 2022. All other deadlines in the Court's scheduling order are extended accordingly.

IT IS SO ORDERED.

Dated: April 4, 2022

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE